

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish
Policies and Cost Recovery Mechanisms for
Generation Procurement and Renewable
Resource Development.

Rulemaking 01-10-024
(Filed October 25, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING
SHORTENING TIME FOR RESPONSES TO MOTIONS**

On September 16, 2003, the California Wind Energy Association (CalWEA) filed a motion seeking changes to the Request for Proposals (RFP) issued by Southern California Edison (SCE) on August 29, 2003.¹ CalWEA requests that the Commission act quickly on its Motion, and specifically asks the Commission to act on or before September 22, 2003. This is presumably because SCE has required bids in response to the RFP to be submitted by September 23, 2003.

The Independent Energy Producers Association (IEP) filed a motion on September 10, 2003, seeking reconsideration of one aspect of the Assigned Commissioner's Ruling of August 13, 2003, relating to the treatment of funds

¹ The full caption of the motion is: Emergency Motion of the California Wind Energy Association for an Ex Parte Order Requiring Changes to Edison's August 2003 Renewable Resource RFP.

received by bidders due to the federal Production Tax Credit (PTC).² The IEP Motion also requests that changes be made in the RFOs/RFPs of utilities seeking bids from renewable energy providers.

The issues raised by both motions are potentially significant, and relate to the utilities' renewable procurement practices under our Decision 03-06-071 (Order Initiating Implementation of the Senate Bill 1078 Renewable Portfolio Standard Program). While it is important to resolve these issues promptly so as to not delay implementation of the RPS program, we also believe that the numerous parties involved in the RPS proceeding should be given an opportunity to address the issues raised by CalWEA and IEP.³ Accordingly, parties will be given an opportunity to respond to the Motions of CalWEA and IEP, albeit on an accelerated schedule.⁴ In order to address the Motions prior to parties being required to submit bids in response to SCE's RFP, the deadline for responses to SCE's RFP will be briefly extended.

IT IS RULED that:

1. Responses to the Motions of CalWEA and IEP are due at 5:00 p.m. on Monday, September 22, 2003. Responses to the two Motions may be combined in one pleading.

² The full caption of the motion is: Motion for Reconsideration by the Independent Energy Producers Association of Assigned Commissioner's Ruling (dated August 13, 2003) Specifying Criteria for Interim Renewable Energy Solicitations.

³ Several parties have informally requested an opportunity to respond to CalWEA's Motion.

⁴ Pursuant to Rule 45(f) of the Commission's Rules of Practice and Procedure.

2. Electronic service of Responses is mandatory. Hard copy service shall only be made to parties requesting hard copies. Responses should be served separately, via individual e-mail, to Administrative Law Judge Peter V. Allen at pva@cpuc.ca.gov. It is the sender's responsibility to ensure proper electronic service.

3. The deadline for submitting bids in response to SCE's RFP is moved from September 23, 2003 to October 2, 2003.

Dated September 17, 2003, at San Francisco, California.

/s/ PETER V. ALLEN

Peter V. Allen
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time for Responses to Motions on all parties of record in this proceeding or their attorneys of record.

Dated September 17, 2003, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074,

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TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.